IN REVOLT AGAINST REED. REPUBLICANS DEFEAT ONE OF THE

They Vote with the Democrats and Pre-

vont an Abrupt Closing of the Debate on the Rules-The Debate to East Friday, WASHINGTON, Feb, 11 .- The Republican revolt against Speaker Reed, which has been in process of incubation ever since the fight the rules began, took place to-day. The Speaker's Republican colleagues deserted him and allowed him to suffer a most humiliating defeat. Mr. Cannon, representing the Speaker. proposed to close the debate on the subject of the adoption of the rules to-day. His propo-

The programme of the Committee on Rules was defeated and the time for debate extended. Reed and his friends were taken totally by surprise, and were therefore unprepared for the revolt. They expected that sconer or later would come, but rather thought it would be at some other point in the session. Ever since the day that Mr. Reed began the work of disciplining the Democrats, the Republicans who did not endorse his arbitrary actions have been threatening to break away from his authority. They were on the verge of mutiny several times last week when the House was doing business under general parliamentary law, and were only prevented from making their power felt then in opposition to Reed's prearranged programme by the feeling that they would injure both themselves and their party by prematurely showing their teeth. They saw a chance to-day to notify Mr. Reed that he could not drive them all, and as there was no question of vital importance at stake they joined the Democrats in voting down Mr. Cannon's proposition. Cannon was dumfounded when the adverse vote was taken. He thought it was coming some time, but was astonished at the size of it. He had rather curtly refused to withdraw the call fo the previous question when requested to do so by the Democrats, but insisted, under orders, on cutting off an opportunity for discussing the matter. The Democrats thereupon became angry, and the anti-Reed Republicans. as they may be called, joined with them. Cannon took his defeat good naturedly, and when the result of the vote showed that Mr. Springer was really in charge of the debate on the quesof rules, Cannon, amid great laughter, walked over to the Democratic side and shook hands with his colleague, greeting him, as did the Democrats, as the new Republican leader.

As the matter is now arranged general debate on the subject of the rules will run all day se-morrow. On Thursday the five minute rule will be applied and then the proceeding will become interesting. The speeches that are being made now on the general question of rules are very dry and uninteresting. Very few members listen to them, and they are being made only for the purpose of being printed and educating the people on the general subject of parliamentary proceedings. On Thursday, when the five-minute rule goes into operation, there will no doubt be some lively skirmishing, as nearly every member will want to take a hand in the fight. The Demoerats will then begin their active opposition to the adoption of those rules to which as the minority they are opposed. It is not impossible that some of the sorehead Republicans will take occasion to deliver a few anti-Reed speeches. These men cannot, of course, oppose the adoption of any of the rules reported by the Republicans on the committee, because they took part in the caucus that adopted them, but they can at least let it be known that they are not wearing the Reed collar. One of the most conspicuous members of the

House, who is one of the Republicans on the Ways and Means Committee, said this afternoon that the little revolt against Mr. Reed today was but the beginning of serious opposiion on the part of the Republican members to the Speaker's dictation. He said that several Republicans have grievances to air, and that they have only been kept in check thus far because of the absolute necessity for Republicans to stick together at least until rules for the transaction of business have been adopted.

Speaker Reed was very much chagrined at the defeat of his attempt to close debate on the rules, and has got a list of the members who are beginning to tread on his corns. For several weeks past the Speaker has been keeping his eye on the disaffected Republicans who have been making public their opposition views, and will have a rod in pickle for them which he will probably use when they least ex-

It is said to-night that Mr. Cannon was strongly opposed to the attempt to limit debate and that he made the motion only after receiving almost direct orders from the Speaker to do so. It had been pointed out to Mr. Reed that he should be more liberal in his treatment of the Democrats, and more than twenty Republicans urged him to give them as much time as they needed to debate the new rules. Mr. Read, however, would not listen to the advice of his colleagues, but said that he intended to choke the rules down the throats of the Demo crats and cut off debate whether they were willing or not. There were as many as twenty Republicans who did not vote at all to-day on the question of cutting off debate. They were the men who have all the time protested against Mr. Reed's arbitrary course. To-day's defeat is perhaps the first set-back the Speaker has had, but it may not be the last if the statements of these disaffected Republicans

The session to-night, which was the first regular gaslight meeting of the season, drew a large growd to the Capitol, but they were disappointed in the character of the entertain ment offered. The speeches were dull and will undoubtedly continue to be so until debate under the five-minute rule begins on Thursday.

YESTERDAY IN CONGRESS.

Senator Ingalls Defends the Rights of th

WASHINGTON, Feb. 11. - The Senate resumed consideration of the bill to provide a temporary Government for the Territory of Oklahoma, the pending question being on the amendment offered yesterday by Mr. Plumb to comprise No Man's Land within the limits of the proposed Territory.

Vest argued in support of the amendment, and Mr. Platt, who is in charge of the bill,

Mr. Dawes opposed the amendment, although he said he agreed with the Senator from Missouri as to the importance and inevitability of the Cherokee outlet becoming soon a part of the public domain, and to become so not by spoliation, but by reasonable and fair compensation. He believed that that end could have been accomplished long ago, and could have been accomplished last summer i there had not been threats mingled with the negotiations. There had been held up to the Indians negotiations in the one hand, a sword in the other. That had been the radical defect in all negotiations with the Indians. It had been an nounced within the last six months by those who had been sent to negotiate with the Cherokee Indians that unless they accepted the proposition to part with their lands at \$1.25 an acre the land would be taken from them, and a distinguished statesman had thrown out the idea, as if it would bein the negotiations, that it was within the power of the United States to condemn the land for

Mr. Jones of Arkansas inquired as to Mr. Dawes's authority for the statement that the Cherokees were informed that if they did not found that they had no title at all to their land.

Mr. Dawes gave the newspapers as his authority, and added that he had also seen in a newspaper that the Secretary of the Interior had supplemented that threat by a statement that the Cherokees had no title at all.

Mr. Jones said that he did not believe that the Commission had threatened the Cherokees Mr. Platt remarked that when it became

evident that the Cherokee Nation was deter-

cause they were backed up by cattlemen or others, he did not believe that there was a member of the Senate or of the House who would not be ready to say that. If that were the position which the Cherokee Nation occupied, the United States would be justified in abrogating the provisions of the treaty and taking the land.

Mr. Teller—Will the Senator from Connecticut tell the Senate how, by legislative action, we are to divest the Cherokee Nation of a fee title?

are to divest the Cherokee Nation of a fee title?

Mr. Platt said that he was not going into the question of the title of the Cherokees. The findians ought to be negotiated with fairly; but if the Indians would not negotiate the question the inevitable logic of events showed that the United States would take their lands.

Mr. Teller supported the smendment because he thought there ought to be a Government over No Man's Land. He was astonished at the suggestion of Mr. Platt, because he supposed that if there was anything thoroughly settled, it was that no legislative body could settle a question of the right of property.

Mr. Ingalls opposed the amendment. He did not desire to assist in the establishment of what he believed would be an injurious precedent. The object of establishing Territorial and other forms of government was to extend over homogeneous populations, restding in

sition was beaten by an overwhelming vote. what he believed would be an injurious precedent. The object of establishing Territorial and other forms of government was to extend over homogeneous populations, restding in contiguous and adjacent territory, the forms and ordinances of civil government. But if the idea were established and recognized that separated and far-dictantly separated tracts of territory (with perhaps, States and civilized communities between them) could be gathered together under one Territorial government, there would be a wide departure made from what had heretofore been regarded as the proper functions of Territorial Government. If the Fort Leavenworth military reservation in Minnesota should be vacated and should become public land, could it he asked, be supposed that it would be within the power of Congress to extend the one Territorial Government over both? There was no such necessity for the establishment of a Territorial Government over No Man's Land and Oklahoma were not places of refuge for convicts, criminals, and malefactors. On the contrary, those communities had furnishment of a Territorial distance of the capacity of the American people for self-government. Without any organized institutions, without statutes, without force, without any of the ordinary appliances of government, they had maintained themselves in a condition of social order that might be an example to surrounding communities. He had been surprised at the statements and concessions made by Mr. Dawes and Mr. Platt, that it might be necessary for the United States to take possession of the Cheroke reservation: that their lands stood in the way of civilization. More than half a century ago the Cheroke Nation had abandoned an empire in Georgia, Alabama, and Mississippi, where they were rightfully established, and had been located beyond the Mississippi in a region as remote in those days as Alaska was to-day remote from New York, under the selemn piedge and promise of the Government, that they anould be protected and defended in their possessions so long as g possessions so long as grass grew, water ran, and time endured. Not only did the Indians hold that reservation by ordinary treaty stipulations, but the Government gave them a parchment title to it. The title had been written out—so many acres of land, by such and such metes and bounds—on parchment, and attached to it was the sign manual of the Exception of the United States Government. These people were not savages and their own, a literature of their own, and an alphabet and language of their own, and an alphabet and language of their own. They published newspapers in their own ianguage, educated the young of both seres in institutions of the highest order. And were that george, living under that guarantee of the Government of the United States, to be told that because the American people numbered 55,000,000 and they numbered 20,000 the United States wanted it? He projected against the proposition. It was the enunciation of a doctrine that shocked the moral sense of mankind. The bill went over until to-merrow without section on the amendment as to No Man's Land. Mr. Hoar introduced a bill to prescribe, in part, the manner of the election of members of Congress, and it was referred to the Committee on Privileges and Elections. It provides that in all States of the Union representatives to Congress according to the census to be taken in 189; any law of such States hereafter to be passed to the contrary natwithstanding.

The Senate took up the Educational bill, and Mr. Blair continued his opening speech in support of that measure. He rend from an article in the New York Mail and Express to justify his assertion as to the failure of the New York Evening Post as maintaining a bureau of mendacity to the bill. Without concluding his opening to the hill. Without concluding his opening to the hill. Without concluding his opening to the hill.

ing Post as maintaining a bureau of mendacity to spread abroad misropresentations in regard to the bill. Without concluding his opening speech, Mr. Biair yielded to a motion to proceed to executive business, and after a session for that purpose the Senate, at 5:10, adjourned. Among the bills introduced and referred were:

Wore:
By Mr. Pierce—To creats an agricultural commission to investigate the present depressed condition of the agricultural interests of the country.
By Mr. Ingalis (by request)—Establishing a free bathing beach on the Potomao River, near the Washington Monument grounds.

House of Representatives.

The journal of yesterday's proceedings containing a yea and nay vote-upon which the Speaker counted a quorum, the Democrats would not by their silence acquiesce in its approval, and a roll call was rendered necessary was approved-yeas, 150; nays, 1-|Mr. Buckalew), the Speaker counting a quorum.

Mr. Cannon of Illinois called up for consideration the proposed code of rules; and offered a resolution providing that general debate shall close at 1 o'clock to-morrow, and that after declose at I o'clock to-morrow, and that after debate under the five-minute rule the previous question shall be considered as ordered at 4 o'clock to-morrow. Vigorous protests against cutting off discussion in such short order were made by Messrs. McMillin, Hooker, Springer, McCreary, and Flower, but they were of no avail, and Mr. Cannon demanded the previous question. But the House would not sustain this demand, and many Republicans voting against it, the demand was rejected by an overwheiming vote of 58 to 143. Mr. Springer immediately claimed the floor, but Mr. Cannon declined to yield it. He proposed either to lose the previous question or at least to get some indication at what time this year gentlemen on the other side were willing to close debate. He demanded the yeas and nays on his demand for the previous question. But not a sufficient number of members arose to enforce this demand, and (amid applause from the Democratic side; the Speaker se announced. Mr. Cannon then yielded the floor, recognizing, as he said, that his colleague, Mr. Springer, was in charge of the resolution, I.aughter, The Democratic were jubilant over their victory, and as Mr. Springer rose to make a motion he was greeted by his colleagues as being in charge of the proceed until adjoornment to-morrow, after which the code shall be considered under the five-minute rule until 5 e/clock Friday, when the previous question shall be considered as ordered. This resolution was adopted without objection, and Mr. Cannon rood-naturedly crossed over to the Democratic side and congratulated his colleagues upon his success.

Mr. Holman of Indiana characterized the new code of rules as a complete revolution in parliamentary procedure. He especially antagonized the clause providing that 100 members shall constitute a quorum in Committee of the Whole, declaring that this provision would place the great appropriation bills at the mercy of a handful of the majority. He spoke of the various occasions upon which the resort to fillbustering methods had bee bate under the five-minute rule the previous

LIVE WASHINGTON TOPICS.

Republicans Heattate to Reduce the Surplus Ingalls Gets a Cartridge by Mail.

Washington, Feb. 11 .- The subject of the surplus is again receiving the undivided at-tention of the Republicans in Congress. It is not now so much a question of how to get rid of the surplus as it is how to prevent its being wiped out altogether, and a big debt created in its place. It was this subject that drew to gether the big lights of the Republican party yesterday to listen to the advice of Secretar Biaine and Vice-President Morton. Last night there was another meeting of the leaders, in cluding members of both Houses, and they sat up late talking over the situation. The trouble is that the Republicans have already endorsed so many schemes for legislation, that if half of them are carried out there will be no surplus to talk about, Secretary Windom in his annual report stated that the end of the present fiscal year would have a surplus, after providing for sinking fund purposes, of only about \$45,000,000. This statement is what bothers the Ways and Means Committee of the House and their advisers. They are in quandary. If they remove the tobacco and the augar tax they will wipe out at once almost double the amount named as the probable surplus for this yerr. How to frame a bill that will enable them to make the tariff reductions

too big a hele in the revenues is the problem which they are trying to solve.
At the meetings held yesterday a somewhat

bold plan was suggested, which contemplates the total removal of the sugar tax, letting tobacco stand untouched. However, it is not thought at all likely that the members of the Ways and Means Committee will have the temerity to adopt such a course as this. They are more apt to let tobacco alone and make a severe cut on sugar, possibly with the promise

severe cut on sugar, possibly with the promise of a bounty.

During the joint conferences that are being held daily by the Senators and Representatives who are members of the Finance and Ways and Means Committees, another branch of the surplus question has arises. This is the everpresent bugbear, the Blair Educational bill. A reaction has taken place among the Republicans on this matter, and an earnest effort is being made to drum up enough votes to defeat the bill in the Senate. Several Senators who have previously voted for it are ready to change their votes, and others would like to do so, but they are afraid. They call attention to the fact that Republican platforms have endorsed the bill, and that the party is bound in honor to father it. The new Senators, however, care nothing about the bill, and are perfectly willing to let it be killed. No statistician can tell how much money would be paid out under its provisions and even its friends agree that if it should become a law there would be little trouble hereafter in getting ria of the surplus.

paid out under its provisions, and even its friends agree that if it should become a law there would be little trouble hereafter in getting rin of the surplus.

Major McKinley is anxious to bring in his tariff bill within the next few weeks, but has not yet made much headway in getting the party together on the subject of the make-up of the bill. If there was a surplus of two or three hundred millions to be disposed of the work would be comparatively easy, but in view of the fact stated by Secretary Windom the Republicans are at a loss to know what to do. The adoption of the new rules will open the way for the easy passage of bills of all kinds, and those that are likely to become laws will, no doubt, call for the expenditure of a sufficient amount to wipe out the estimated surplus. A member of the Ways and Means Committee said to-day that the result of the deliberations of the big men of the party would probably be a decision that the Republicans cannot at this time afford to bring in a proposition for the removal of the tobacco tax and the tax on sugar. It would be too great a sacrifice of needed revenues.

Secretary Blalne's prominence in the conferences has led to the belief that the State Department is negotiating a number of reciprocity treaties with foreign Governments, and that the new tariff bill is to be made to conform with the terms of these treaties. It is known that Secretary Blaine has long favored the roley which was pursued to some extent under the Arthur Administration of promoting trade with other countries by reciprocity, and it is not unlikely that he has several surprises of this nature in store. Spain and several of the South American republics are mentioned as the countries with which the Secretary has been carrying on negotiations.

mittee on Elections decided this morning by a strict party vote to recommend that the House unseat Pendleton, and seat Atkinson as the leprosentalize from the First West Virginia district. Chairman Howell will present the majority report to the House as soon as the rules are disposed of, and probbly Mr. O'Fer-rall will submit the views of the minority.

Representative Spinola has been instructed by the House Committee on Military Affairs to report favorably to the House his bill appro-priating \$100,000 for the erection of a monu-ment to the prison-ship marryrs in New York.

The Senate has confirmed these nomina-

tions:

Robert Adama Jr. of Pennsylvania to be Envoy Extraordinary and Minister Fienipotentiary to the United States of Brazil, now oredited told the empire of Brazil Harrie R. Newberry, of Michigan, to be Secretary of Legation at Madrid.

Adolph G. Studer, of Iowa, to be Consul at Barmen.

To be United States, Attorneys—Renjamin P. Fowler, for the Territory of Wyoning. Samuel W. Hawkins, for the Western District of Tennessee. High B. Lindsay, for the Eastern District of Tennessee: W. Cole for the Southern District of Tennessee. W. Cole for the Southern District of Tennessee.

To be United States Marshals—G. E. Gard, for the Southern District of California, T. Romero, for the Territory of New Mexico, J. J. Hickerson, for the Eastern District of Virginia, D. B. Milier, for the Southern District of Iowa. Manson W. Heard, to be Collector of the Port of Beaton.

To be Pearmasters—W. H. Nicholoy, Newark, N. Y.; J. W. Smith, Schoharle, N. Y.; W. H. Walker, Weatheld, N. Y.; L. W. Whitaker, Westheld, N. J.; H. F. Cadmus, South Amboy, N. J.

The bill introduced by Senator Edmunds to day, to provide a public school system for Utah, is a most elaborate and comprehensive measure, and with great minuteness provides about all the legislation necessary for the conduct of school affairs in the Territory. One of the objects of the bill is to diminish Mormon influence by the suread of knowledge among the youth of the Territory.

Senator Ingalis has received some queer things in his mail since he made his character-istic speech on the negro question. A day or Istic speech on the negro question. A day or two ago he got a little box about four inches long which enclosed a little brass-capped cylinder. It looked like a cartridge, and on it was written, "Election pills for old Cuff or for Ingalis, from Jackson, Mississippi." The eartridge was filled with powder and buckshot. When the Senator was examining it it fell to the floor, but the exploding apparatus did not work, and no harm was done. A lost Office inspector is trying to find out who mailed the cartridge.

SNURBED BY LORD STANLEY.

The Canadian Liberals Won't be Tred Under Foot Without Squealing.

OTTAWA, Feb. 11 .- Until now the Governor-General of Canada has been regarded as a little above the ordinary run of citizens whom Canadians were inclined to respect. But whatever claim to respect might attach to the position during the regime of Dufferin, Lorne, or Lans. downe has certainly been forfeited by Lord Stanley, the present incumbent. That public opinion has been aroused against Lord Stanley is unmistakably shown by the attack made upon his Excellency to-day by the leading organ of the Liberal party, the Toronto Globs

The Globe says: "Indignation is growing against the social administration of Rideau Hall under the Stanley régime. Unhappy discussions in the social life of the capital arose during last session, and we are now on the eve of a social outbreak of a still more virulent character. It is announced that the annual state ball, for which many invitations are sent out and many more sought, will not be held this session, but Instead two select parties will be given. It is to be understood that this state ball, which is so prominent a feature of each session, is a a national event and not a mere bee for the civil servants who dominate the social life of Ottawa. The people of Canada pay so much for the entertainment of these flowereds of the capital that it is not unreasonable that the people's representatives should look for an innings while Parliament is in session.

"It seems, however, that very few need look for invitations to kideau Hall except the departmental clerks who have aristocratic British connections. Democratic Canada must not rub unpleasantly signist imported viceroyalty. The reserved seats are for the imitation princelings who draw their salaries from the taxpayers.

"The report is that but ten members of Particles of the later of the property of the search of the property is that but the property of the search of the property is that but the property of the search of the property of the search of the property is that but the property of the search of of the sear instead two select parties will be given. It is

royalty. The reserved seats are for the initation princelings who draw their salaries from the taxpayers.

"The report is that but ten members of Parliament have been invited to the two select partice mentioned. They say the Ministerialists are as badly snubbed as the Liberals, and take it a good deal harder. The fact is that the Liberals are rather indifferent about Rideau Hall festivities, but probably they have a natural objection to paying quite so much for an official snubbing. Then it is barely possible that the the people's representatives do not particularly care to be put second to their servants in the departments. No one would object to the departments. No one would object to the departments clerks sharing in the festivities, but it is not the opinion that Rideau Hall is maintained for their especial benefit.

"It is enough that Rideau Hall is a rat hole for many thousands of public money, without becoming a nursery for snobbishness. The Rideau Hall excenditures will be pretty well investigated before the Public Accounts Committee and not without substantial reason. The public accounts force one to the conclination that the vice-regal residence was literally cleaned out from cellar to garret before Lord Stanley took possession, and if the people have to go on furnishing the house every few years, we at least should know what becomes of the furnishings. Rideau Hall is in politics and Lord Stanley of Preston will do well to inform himself of the temper of the Canadian people."

Engineer Ferrol Has Not Abandoned Re-

lorm. Frank Ferrol, the colored Vice-President of the defunct United Labor party, whom Postmaster Van Cott made chief engineer of the Post Office at a salary of \$5,000, made a speech at a Business Men's Republican Association meet Business Men's Republican Association meeting of the Eleventh Assembly district hat night. There were twenty-two business men present, Ferrol was introduced as a labor reformer, and he sailed into the politicians right and left, denouncing them as corruptionists, who were stealing everything they could lay hands on. He saved himself, however, at the end by saying that the Business Men's Republicans were here to save the country.

Pilot Jackson was Giddy.

Mr. Forget, the agent of the French line of steamships, sent an extremely polite note to the Priet Commissioners the other day, in which he said that Pilot Thomas Jackson, who recently brought La Champagne into port was at the time "apparently overcome by riddiness, but otherwise his demeanor was good and his conduct orderly." Section was suspended for one month for intoxication.

Oyal Baking Powder

ABSOLUTELY PURE

A Cream of Tartar Baking Powder. Found Superior to all others in Strength and Leavening Power. - U. S. Government Report, 1889.

DOINGS OF THE LEGISLATURE.

Speaker Busted Congratulates the Assembly Upon Its Industry.

ALBANT, Feb. 11 .- The Assembly cleared its calendar to-day and adjourned abreast of business. Speaker Husted, with paternal pride, poised his gavel aloft when the time for adjournment came and said:

"The Chair desires to thank the House for the marked attention given to the proceedings of the day. It is a revelation in legislation During the twenty years that the Chair has been a member of this body he has never known a time when thirty days after the or ganization the calendar was absolutely cleared before. Procedure of this kind will insure the House and will prevent a flood at the end of the session. It will enable the Legislature to adjourn before the first day of May." Before business began Speaker Husted made

a little speech concerning the bill box. None but members were entitled to the privileges of the slot, the Speaker said, with some severity, Col. Webster's bill, extending to Mexican war veterans the protection under the civil service laws that veterans of the war of the rebellion

laws that veterans of the war of the rebellion enjoy, was passed.

Mr. Biumenthal introduced a bill exempting from taxation the real and personal property of any incorporated library, missionary society, home, hostital, dispensary, or other institution for the free relief of the sick, infirm, indigent, or distressed.

The Assembly Committee on Banks and some members of the General Laws Committee ilstened interestedly to arguments on the Connelly bill to-day. It prevents building and loan associations organized outside the State from doing business in the State unless they deposit \$100,000 and are supervised by the Superintendent of Banks. The arguments in favor of the bill were made by Judge Watson T. Dunnore of Utica, Judge Seymour Dexter of Elimira. Charles O'Connor Hennessy of New York, and Thomas F. Larkin and James P. Judge of Brooklyn.

In the Senate business proceeded at a deal level of monotony. The bills introduced included these three:

level of monotony. The bills introduced included these three:

By Senator 'antor-To amend the act creating a Railroad Commission and authorizing the commission of order repairs the programments and otherwise very fully control the after programments and otherwise very fully control the after of the section of the sectio cluded these three:

IS MORRIS GUILTY OF BLOODS Was Accidentally Shot,

In the defence of Policeman Patrick J. Morris, charged with murder in the second degree in shooting and killing Saloonkeeper William F. Campbell, in Campbell's saloon at West and Albany streets, Policeman William Mooney testified in the General Sessions yesterday that he went into Campbell's saloon with Morris on the evening of Oct. 21. Earlier

with Morris on the evening of Oct. 21. Earlier in the evening he had told Morris that Campbell had a pistol and was said to be drunk and feurishing it.

The two policemen went to the saloon together, and after valuly trying to persuade the bartender to take away Campbell's pistol. Morris went in to do it himself. Moody, standing outside, heard a noise in the saloon, and, opening the door, heard Morris say: "Don't point that pistol at me." Morris said to Moody: "That man has pointed a pistol at me, and I'm going to arrest him." Campbell walked toward Morris and seized his club. Morris erked it out of his hand. Thereupon Moody arrested Campbell and had hold of him when he heard a pistol shot. He, the witness, believed that he was shot, and clapped his hands to his face. Morris said to the witness. "It was an accident." Morris, as Moody learned later, believed that he had shot Moody.

Deputy Coroner Jenkins testified that the pistol must have been pointed almost directly downward, above Campbell's shoulder, when Morris fired.

Whether an informal statement made by

downward, above Campbell's shoulder, when Morris fired.

Whether an informal statement made by Campbell that the shooting was accidental can be admitted or not will be decided this morn-ing. The defence is that both men had hold of the pistol and ware struction for it and that

EVANGELIST M'COMB.

Fined for Drunkenness and Disorder-The Girl He Eloped With,

Evangelist James McComb, who was arrested in Flushing Monday night accused of drunkenness and disorderly conduct, was arraigned before Justice Smith yesterday morning and fined \$5 or ten days in the county jail Mrs. Young, his mother-in-law, then accused him of making threats against her, and he was ordered to furnish \$300 bonds to keep the peace. He was without money and was unable

peace. He was without money and was unable to pay even the fine. He will be taken to jail this morning unless the fine is paid and bonds are furnished.

While conducting revival meetings in Flushing about a year ago. McComb eloped with Miss Carrie Young. He returned to Flushing after a short absence, taking his wife with him. Public sentiment was so much against him that he soon left again. A few weeks ago his wife gave birth to a child in a hospital in Westchester county. Last week, at her request, her mother went to the place she was then at and took her to Flushing. They went to live with fleorize Highle's tamily in Washington street. McComb made his appearance in Flushing on Monday afternoon, and, going to Highle's house, demanded admittance, which was refused. It is said he was armed, it is also asserted that he made theats against the immates of the house. He hung about the place until night, when he was arrested. He spent the night in a ceil. He said he was without money and friends, and had no where to go. It is said his young wife would have testified against him yesterday, but was too ill to leave the house. McComb is 45 years oid.

Bound for the Holy Land.

PHILADELPHIA, Feb. 11.- This afternoon a party of Philadelphians and others left for New York to take passage to-morrow on the Red Line steamer Noordland on a trip abroad, which is to extend to the Holy Land. The Rev. C. F. Thomas, D. D., will superintend the tour. The party will consist of the Rev. A. A. Murphy, paster of Spring Garden Street Presbyterian Church: the Rev. J. Henry Sharpe. byterian Church; the Rev. J. Henry Sharps.
D. D. associate editor of the Presbyterian Journal; the Rev. I. S. Blum. Charles Wilson, M. D.,
M. August Hohl, M. D., Joseph B. Hancock,
ex-member of City Councils. Thornton C. Hancock, and Arthur C. Dennett, Mrs. and Miss
Shaw, and many others from different parts of
the country. The Rev. T. S. Leak, D. D., of
Allegheny; the Rev. J. A. Ballantyne of Pittsburgh, and Mr. G. D. G. Moore of Newark, N.
J., Will most the oxcursionists at Cairo.

Trenor Brunk Hard, But was Bestes, Too. An autopsy on the body of James D. Trenor of 41 West Nineteenth street, who died on Monday morning after coming home wounded and bleeding, disclosed a large horseshoe-shaped wound in the scali, above the left temple, which extended to the bone, but did not pene-While the skull was not fractured, the trate it. While the skull was not fractured, the injury to the head probably accelerated denth, which was, however, due to alcoholism. The immediate cause was hemorrhage of the lungs, all the other organs were in the congested condition caused by drinking, and the man would doubtless have died in a short time, even if he had not been hit on the head. That he was hit on the head, Dr. Donlin thinks, was made evident by a black eye and other superficial injuries. The police have not found his assailant.

The Republican Club's Lincoln Dinner. The Republican Club will give its fourth annual dinner at Delmonico's this evening Senator Culton of Illineis will respond to the toast of "Lincoln" Among other senators will be Senator Davis of Minnesota, Senator Mondy of South Dakota, and Representative Decliner of James. AN OFFICE CHAIR HIS DEATHBED. John A. Foster, Soldier and Lawyer, Ends

Mis Days Penniless. Gen. John a Foster, a veteran of the civil war and once a lawyer of repute, was found dead yesterday morning on the floor of an insurance office at 1.784 Broadway, where he was customed to sleep, He was born in Schoharie county. His father

was Dr. Joel Foster, a well-known physician who had an office in Fourth avenue. Gen. Foster was practising law when the war broke out. He joined the Seventh Regiment and served as a private for three months. In the autumn of 1862 he raised the 175th Regiment. New York Volunteers, and went with it to the front as its Lieutenant-Colonel. He took part in the battles at Bisland and Fort Hudson, and for his gallantry at the lastnamed was imade Brigadier-General by brevet on Sept. 28, 1865. Previous to this, because of his legal training. he served as Assistant Judge Advocate-General under Stanton. On returning to this city he was made Assistant United States District Attorney, and afterward was the senior mem-Attorney, and afterward was the senior member of the law firm of Foster. Glassey & Thomas. He finally practised alone. He had contracted habits which proved his professional and secial ruin, and he could no longer be tolerated by his pariners. He was at one time an intimate of prominent Recubilean politicians, but his desire, for drink gradually lost him nearly all his friends. He abandoned his wife, the daughter of a Southern planter, and two grown-up daughters, about two years are. Since then he has subsisted chiefly on charity.

ago. Since then he has been been enderly, charity. Last September he met his former orderly, Last September he met his former orderly, Last September he met his former orderly, Herman Albert, an insurance agent, who gave him shelter in the office where he died. There was no bed in the office, and Gen. Foster slept on chairs, wrapped up in an army blanket. He seemed as well as usual when hast soen on Monday evening. His death was directly due to heart disease. He will be buried in Woodlawn. Since described by her husband Mrs. Foster has educated her two daughters as well as supported them and herself on the small salary she earned as a city missionary, at 62 Essex street. She has worn widows weeds since his described, so that she was fitly attired yesterday when she went to the office where her husband's body lay.

BLOOD SPILLED OVER A COFFIN BILL

Two Undertakers Go to Court, and the

Two coaches, filled with men, stopped on Monday afternoon in front of Undertaker James F. Whelan's, at Park and Baxter streets. The men entered his place, and in a few mo ments Whelan and his Italian assistant, John Ferretti, were bundled out of the undertaking rooms into the street. Whelan was bleeding from several cuts on his face, and the Italian besides cuts on face and head, had his left hand and arms hurt. They went to the Chambers Street Hospital, had their wounds dressed. and returned to the undertaking warercome They were going inside, when, upon a word from a leader of the men who came in the coach, a policeman arrested Whelan.

William F. Riordan, an undertaker, of East Broadway and Montgomery street, was the complainant against Whelan at the Tombs yesterday. He said that Whelan at the Tombs yesterday. He said that Whelan had struck him when he came to take rossession of his property, He was the real owner of the undertaking business run by Whelan. Whelan said that Riordan and his gang swept down upon him and pummeiled him. Ferretti backed that Riordan and his gang swept down upon him and pummeiled him. Ferretti backed that Riordan was required to give \$500 bail for his appearance for trial.

Later Whelan directed Lawyer McNickle to begin suit for \$5,000 damages against Riordan for assault, A deputy sheriff was searching for Riordan last night, but did not find him.

Riordan says Whelan ran up a bill for coffins, carriages, and other things to the amount of \$2.100, or thereabouts. The money was not forthcoming, indgment was confessed, and in settlement Riordan took his business. It was arranged that Whelan should conduct it for \$45 a week. Recently, Riordan says his cojector brought him word that a good many persons had paid Whelan, and Whelan was holding on to the money. He discharged him, but he wouldn't be discharged, so he thought it was best to fire him out. They were going inside, when, upon a word it was best to fire him out

WHAT IT COSTS DIXEY TO LIVE. A Man who Doesn't Pay His Note has to

Henry E. Dixey was before Judge Van Wyck yesterday, in the City Court, to answer all manner of questions as to his income, and to apologize for spending some of it against the order of the Court. The trouble all arose out of a note which Dixey and Edward E, Rice gave to George Wadleigh. Wadleigh turned it over to his wife in payment of alimony, and she assigned it to Arthur L. Briggs. Briggs obtained judgment for \$220,46, October 1889. Supplementary proceedings were instituted against Dixey, and a motion was made to punish him for contempt in failing to make some payments. He squared that matter, and the examination was resumed.

Dixey lives at 15 Gray street. Boston, and supports his mother, his wife, and two children, aged respectively 10 and 11 years. He pays William Gill \$100 a week royalty upon the "Seven Ages," gives his wife \$100 a week, and his mother \$50 a week. His dressor in the theatre costs him \$20 a week, and his necessary personal expenses, he says, are \$75 a week. His earnings do not average more than \$300 a week, so helis running behind.

His agreement with Mr. Duff calls for 10 per cent, on the weekly receipts up to \$4,000, 20 per cent, upon the next \$2,000, and \$38 per cent, on all sums over \$6,000.

Mr. Dixey, in giving the figures of his outgo, said they were necessary for the support of those dependent upon him in the style in which they have for many years been accustomed to live and added. tuted against Dixey, and a motion was made to

they have for many years been accustomed to live, and added:

live, and added:
While to men in many other walks of life these receipts and disbursements may seem large and even extravagant yet the business in which the deponent is engaged and his professional standing, absolutely require these disbursements.

He also represented that he had been compelled to borrow from friends to deprive himself and his family of many necessaries, and that he had paid the plaintiff \$100 on the note and would pay all in time.

Mr. Duff corroborated the defendant's testimony as to his income. mony as to his income.

She Locked the Intruders In. Sr. Louis, Feb. 11 .- Mrs. Joseph Gunspin

bought a fewing machine on the installment plan some time ago, and had paid all but \$15 on it. This morning two collectors, Bronson and Horn, and F. L. Collins, the agent, entered her house, and announced that they must have the machine or the \$15.

"You can have the machine if you pay me back what I've paid on it," she said.

They pushed her aside and entered the room where the machine was. Mrs. Guns-in shut the door, turned the key, and the two were rrisoners. They begged and threatened, but she refused to release them. Ble sent for her husband, and he kicked the two into the street. They secured a writ of roblevin, and to-night got the machine. and Horn, and F. L. Collins, the agent, entered

The Carnegle Free Library. PITTSBURGH, Feb. 11 .- The doors of the

Carnegie \$300,000 free library in Allegheny City were thrown open to the public this afterpificent structure was inspected by thousands of people. The building will be often to the public hereafter, and the dedicatory ceremony will be held on the 20th inst. when it is hoped President Harrison will be present. The structure consists of a library, art gallery, and music hall.

F. Mrs, Metty Green Objects.

CHICAGO, Feb. 11 .- Mrs. Hetty Green of New York appeared in Judge Collins' court this morning as an objector to the transfer of title to a section of land west of this city, which was recently sold at auction for \$502.000 to the Grant Locometive Works of Paterson, N. J. Mrs. 45 - 46 a large interest in the land.

AGAINST THE SUGAR TRUST.

Enjoined from Paying Out Monoya Except for Expenses and Provon Dividenda, Receiver Gray of the North River Sugar Refining Company asked Judge O'Brien to continue the temporary injunction restraing the members of the Sugar Trust (pending suit for a copartuership accounting) from paying out any money, issuing any more certificates of dividends, or parting with any of the trust or copartnership assets. Judge O'Brien has continued the injunction in a modified form, which permits the trust to do business and distribute Its profits.

The plaintiff alleged that he had received nothing of the North lilver Company's share of the large dividends recently paid, and that the defendant contemplated transferring the property to a Connecticut corporation. The defendants denied this, and declared that the

defendant contemplated transferring the property to a Connecticut corporation. The defendants denied this, and declared that the lis prodens on their properties prevented their transfer and made the injunction, which was injurious any way, unnecessary also. They also denied that the trust could be treated as a copartnership.

Junce O'Brien thinks it must be treated as a copartnership. The defendants ursed that any apparent copartnership was void from the beginning, because the corporations had no power to form a copartnership. To which the Court answers that they appear to have done it, and that the distinction between "right" and "power" must not be lost sight of. To hold that a corporation has no power to do anything which it has no tight to do would be to hold it incapable of wrongdoing. Sothing created is so good as that. The lilegality of the association does not destroy all the intervening corporate acts. The Broadway Italirons Company's charter was forfeited for fraud and corruption, but its conveyances of real estates and its bonds were not voided. If the Court of Appeals affirms the decree of dissolution of the plaintiff company, which affirmation may involve the corporate existence of the others, it is extremely doubtful if any court will hold that this will nullify the corporate acts and invalidate the mortgages or other deeds executed during the period of illegal consolidation.

If it should be decided that the deed of trust for the seminality, by analogy with the law relating to partnership between the corporations, then the death or dissolution of one would seemingly, by analogy with the law relating to partnership between the corporations then the death or dissolution of the constitution of the courtnership funds. Intil the decision the property so far as consistent with the original represent to determine rights as between the wrongdoers.

It successful in the highest court the plaintiff will be entitled to an accounting and distribution and within the puriation of this court. The filling of the

hardship. Judge O'Brien concludes: innoction that the injunction will be therefore, I am of opinion that the injunction should be combined it should not be so conditioned as to injure or embarrase the defendants in the prosecution of their obsiness until such time as the Gourt of Appeals shall have finally passed upon the main questions involving the judgment of forfeiture. Till then their should be permitted to pursue their business unmoisted, to pay dividends out of their earnings, and to make such payments as are required in the ordinary flame-cloud. Other affairs being previous only one of the corpus of assets, themselves discounts of the corpus of the corpus of assets, themselves discounts of the business in being claimed that under the subset of alividends large sums in cash other than profits of the business have been paid and could be paid out to the detriment and depletion of the capital or corpus of the aligned to partnership, the Court-hould excepts some such supervision to the end that they should be prevented from doing directly. The order, therefore, should enjoin them from transferring the refineries property or other assets of from paying out moneys except such as are made of the payment of the law therefore the paying from time to time for the majornment on the profits of the business and without profit has presented by the profits of the business.

MANY POLICE TRANSFERS.

One Man Broken for Intextention, Two

Men Fined for Sleeping Too Much. The Police Board dismissed yesterday Patrolman Daniel Brooks of the East 126th street station for intexication. Patrolman George C. Strong of the Madison street station was fined twenty days' pay for the same offence. Patrolman Matthew J. McCauley of Carmansville was fined ten days' pay for falsely reporting that he had rescued several persons from drowning. as an excuse for being off his post. Sergeants Lauser, McMillen, and Delamater were fined two days' pay each for failing to enter on their station house books the fact that they had summoned ambulances. Doorman Kerrigan was fined five days' pay for sleeping on duty, was fined five days pay for steeping on duty, and Patrolman Kennelly of kingsbridge got the same punishment for being found asleep while guarding prisoners at Hellevne.

Transfers—Doormen Nesbitt, from Elizabeth street to Fast Sixty-seventh street; Witington, from Prince street to West Thirty-seventh street; Tatrolmen Joseph T. Lang, from Madison street to tenement house squad; George Weiss, from Elizabeth street; Tatrolmen Joseph T. Lang, from Madison street to tenement house squad; George Weiss, from Essex Market Court to Elizabeth street; Richard Buckley, from Elizabeth from House of Detention; Wallenstein, from Editridge street; Edward I. Sinner, from Editridge street; Harborn was payand; Jackley of Company for House of Detention; Wallenstein, from House of Petron Fills Business Bus and l'atrolman Kennelly of kingsbridge got office was retired on \$000 a year.

EXPELLED FROM THE EXCHANGE.

harles W. Furber, Agent, Accused of Pocketing an Insurance Premium.

The managers of the Produce Exchange vesterday expelled Charles W. Furber on the complaint of Robe Brothers, also members of the Exchange. Furber is an insurance broker with offices in the Produce Exchange, which he will be requested to vacate. Robe Br thers say that Furber sold them a policy in the London, Liverpool and Globe Insurance Company on a cargo of merchandise, the premium on which was \$50. They charge that when collection time came Furber asked them to make out the check for the premium in his name. This they refused to do. They gave him a check made out to the dissurance company. On Jan. I they were notified by the insurance company that unless they paid the \$50 premium the polley would be forfeited. On investigation they found that their check had been endorsed by Furber as agent for the insurance company. They complained to the managers of the Exchange, and there have been several hearings. Furber admitted that he had been hard up and had used the money, but he insisted that he had reimbursed the company, and that really no wrong had been done. pany on a cargo of merchandise, the pre-

The announcement by cable a few days ago hat at a contest or competition at Herlin between Ed so bhonograph and Emile Serdner's gramophone the experts present decided that the last named is the more successful machine of the two, appears to have aroused fresh interest in the country in Beriner's work. For the benefit of lay readers it may be well to state that Heritzer is an American, and is one of the leading electricians retained by the Bell Telephone Company. He designed and patented his gramophone two years ago. Since then he has been working in Germany to perfect it and according to the press de
spatches he seems to have succeded in doing so. In
consequence of the developments in Berlin, certain
local capitalists interested in the invention had the
original machine brought to this city from Washington
to show it to some of their friends. This has was done
in an office in Wall street year-day alternoon.

The gramsphone differs from the phonograph in that
the sound is traced upon a metalic plate that have
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succeeded upon a metalic plate that have
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original one. The princes has been deviced as the
etching second. The machines for doing the work are
comparatively simple in their construction. two years ago. Since then he has been working in Ger

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Two GOOD HORSES FOR SALE, \$25 to \$30, closing mortgage, bargain. UROCER, in Ring at. WATED-Private stable with seven stalla between 14th and 50th ata and 4th and 7th ava.; moderate rent. Address D. 7 Warren st., room 27 10 YOUNG HORSES AND MARES, which 160 to 1.350 pounds; suft trucks, grocer, farmer, expression, family use, no recognishe offer refused. Raule, 113 South 3d st. near Bedford av. Brocklyn, E. D. 20 GOOD WORK HORSES FOR SALE, \$25 up; also

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MR. LOCKHART'S COOK SUES.

She Mays She was Arrested on a Palse Charge and She Asks for \$20,000. Louisa Schaffer, formerly a cook for Robert Lockhart, of the dry goods firm of Sweetser. Pembrook & Co., has sued Mr. Lockhart for \$20,000 damages for false arrest. She says that on July 2, 1889, she was called up stairs by her mistress, who said that she had lost \$30,000 and wanted the house searched. The plaintiff says she made a search, but falled to find anything. Several days later Detective Reilly of Capt. Killilea's command called at the house, and the plaintiff asserts that she learned from the detective for the first time that Mrs. Lockthe detective for the first time that Mrs. Lock-hart had lost diamonds as well as money. Detective liefily, she asserts, taxed her with guilty knowledge of the theft, which she denied. On the evening of the same day the laundress was called in, and threw the pisintiff upon the floor and searched her. Then a policeman was called in, and she was taken to the Forty-seventh street station house. She asserts that she was taken into the Captain room told that she was charged with theft, and asked by the Captain and policemen to confess; and that if she told where the diamonds were she could keep the money, and that if she didn't she was put in a cell, but after twenty minutes was released without any explanations.

Mr. Lockhart's answer has not yet been filed.



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